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FISCAL IMPACT STATEMENT

LS 6873

BILL NUMBER: HB 1360

NOTE PREPARED: Mar 4, 2004

BILL AMENDED: Jan 29, 2004

SUBJECT: Various Election Law Matters.

FIRST AUTHOR: Rep. Richardson

FIRST SPONSOR: Sen. C. Lawson

BILL STATUS: Enrolled

FUNDS AFFECTED: X **GENERAL**
DEDICATED
FEDERAL

IMPACT: State & Local

Summary of Legislation: This bill has the following provisions:

County Election Boards- The bill provides the following after December 31, 2004: (1) That an appointed member of a county election board or a board of elections and registration may not be a member of a candidate's committee. (2) That a circuit court clerk may not be a member of a candidate's committee other than the clerk's own candidate's committee.

Small Town Elections- The bill provides that the legislative body of a small town may adopt an ordinance to provide for town elections to be held in any year in which a general or a municipal election is held.

Nomination of Local Office Candidates By Convention- The bill requires a political party that nominates all its candidates for local office by convention to nominate those candidates not later than noon on the date major party candidates are required to fill a candidate vacancy. The bill provides for the questioning of the validity of the nomination of the candidates and for the withdrawal of the candidates.

Voting Rights of Discharged Criminal Offenders- The bill requires the Department of Correction to inform a discharged criminal offender in writing of the person's right to register to vote and to provide the criminal offender with a copy of the state Voter's Bill of Rights.

Various Election Law Matters- The bill provides that materials generated by a party convention or caucus to nominate candidates are the political party's property. The bill provides that a poll clerk may make a record of individuals who have signed the poll list and make that list available to a watcher or pollbook holder. The bill makes changes in the standards for the eligibility of delegates to a town convention. The bill makes changes relating to deadlines for a committee to file its statement of organization, the printing of candidate

names on the ballot, and holding primaries when candidates are unopposed. The bill makes various technical changes in statutes relating to voter registration.

Effective Date: Upon passage; July 1, 2004.

Explanation of State Expenditures: *Various Election Law Matters-* Under the bill, a candidate committee would be considered a regular party committee for the purpose of filing a statement of organization under IC 3-9-1-3 if the committee were to accept contributions or would make expenditures during a calendar year for election of a candidate for state, legislative, or local office. The total amount of contribution or expenditure would have to exceed \$100 to qualify.

If more candidate committee statements of organizations are filed as a result of this provision, the Election Division, with respect to state and legislative offices, could require an increase in administrative time to process any additional statements of organizations. Any impact to state expenditures as a result of this provision should be minimal.

Explanation of State Revenues:

Explanation of Local Expenditures: *Various Election Law Matters-* Under the bill, completed voter registration forms processed by license branches, public assistance agencies, agencies serving disabled persons, and other general agencies would be sent to the county voter registration office. Under current law, registration forms processed by these agencies may be sent to either the circuit court clerk or the county voter registration office. There may be a shift of administrative responsibility in those counties where the circuit court clerk and the voter registration office are two separate entities. The impact of this provision to local expenditures is indeterminable and would depend on the county.

County election boards could require increased administrative time for processing any additional statements of organization for candidates of local offices that could be filed under the requirements of the bill. See *Explanation of State Expenditures* for full description.

County Election Boards- Under the bill, if a member of a county election board must step down for membership on a candidate committee, the county might have reduced compensation expenditures during the time period between the current member's departure and the new member's appointment.

In most counties, the county chairman of each major political party nominates members and the circuit court clerk appoints nominees to the board. In Lake and Tippecanoe Counties, members, except the circuit court clerk, are appointed by their respective county chairman. In Lake County, each member of the county election board is paid a salary of not less than \$10,000 out of the county general fund. The Tippecanoe County Board of Elections and Registration are given a budget from which to pay board member's expenses. The remaining counties' fiscal bodies determine the compensation of the members of their respective county election boards.

Small Town Elections- Small towns would have the option to adopt an ordinance to establish no more than two elections over a four-year period. The bill requires that an adopted ordinance must make small town elections coincide with a general election, a municipal election, or both. If adopting small towns held town elections with a municipal election, total election cost such as payment of precinct election boards, use of voting systems, and ballot printing would be charged by the county to the small town. This provision could reduce election cost to the town if the county running the municipal election would be able to provide election poll workers, voting equipment, and ballots at lower cost than the town.

Background: Under current law, county election boards are required, with some exceptions, to conduct a municipal primary and election. Additionally, expenses from county-operated municipal elections are reimbursed by the municipality to the county. If the expenses of a municipal primary or election cannot be directly attributed to a single municipality, the expenses are apportioned 25% to the county and 75% to the municipalities in the county holding an election.

A precinct has the following election officers:

Type of Officer	Number
Inspector	1
Judge	2
Poll Clerk	2
Sheriff	2
Asst. Poll Clerk	2 (Optional)

Expenses to run an election include: precinct election board per diem, rental of a facility for polling (if necessary), and/or voting equipment (if necessary.) Based on a small sample of Indiana counties, per diem for election board members ranged from \$65 to \$150 for inspectors and from \$40 to \$100 for judges, clerks, and sheriffs.

Explanation of Local Revenues:

State Agencies Affected: Indiana Election Division.

Local Agencies Affected: Small towns, circuit court clerks, county voter registration offices, county election boards, Lake County Board of Elections and Registration, Tippecanoe County Board of Elections and Registration.

Information Sources: Robert Vane, Marion County Election Board, 327-5117; Voter Registration, Marshall County Circuit Court Clerk's Office, (574) 935-8713; Warren County Clerk's Office, (765) 762-3510; Angela Owensby, Lake County Election Board, (219) 755-3443; Kosciusko County Clerk's Office, (574) 372-2332; Johnson County Clerk's Office, (317) 736-3708; Janice Sexton, Vigo County Clerk's Office (812) 462-3214; Orange County Clerk's Office, (812) 723-2649; Randolph County Clerk's Office, (765) 584-4214; Perry County Auditor, (812) 547-6427; Hendricks County Election Board (317) 745-9313; Boone County Clerk's Office, (765) 482-3510; Terri Probasco, Tippecanoe County Board of Elections and Registration (756) 423-9303.

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